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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genever Holdings LLC,

Debtor.

Chapter 11

Case No. 20-12411 (JLG)

Re: ECF No. 12, 13, 14, 90

**OBJECTION OF BRAVO LUCK LIMITED
TO PROPOSED ORDER GRANTING MOTION OF PACIFIC
ALLIANCE ASIA OPPORTUNITY FUND L.P. TO MODIFY THE AUTOMATIC STAY
TO PROCEED WITH STATE COURT ACTION, AND RELATED RELIEF**

Bravo Luck Limited (“Bravo Luck”), by and through its counsel, hereby objects (this “Objection”)¹ to the *[Proposed] Order Granting Motion of Pacific Alliance Asia Opportunity Fund L.P. to Modify the Automatic Stay to Proceed With State Court Action, and Related Relief* (ECF No. 90) (the “Proposed Order”) filed by Pacific Alliance Asia Opportunity Fund L.P. (“PAX”) in the bankruptcy case of the above-captioned debtor and debtor in possession (the “Debtor”). In support of this Objection, Bravo Luck respectfully states as follows:

¹ By filing this Objection, Bravo Luck does not submit to general bankruptcy or United States jurisdiction. This Objection is only to be construed as a limited appearance of Bravo Luck necessitated by the PAX Motion’s potential effect on Bravo Luck and in order for Bravo Luck to protect its rights as a major party-in-interest in this bankruptcy case. Bravo Luck does not waive, and specifically preserves, all of its procedural and substantive defenses to any claims that may be asserted against Bravo Luck by PAX, the Debtor, or any other party in this case.

OBJECTION

1. On December 16, 2020, PAX filed the *Motion of Plaintiff Pacific Alliance Asia Opportunity Fund L.P. to Modify the Automatic Stay to Proceed with State Court Litigation, and Related Relief* (ECF No. 12) (the “Motion”), a memorandum of law in support of the Motion (ECF No. 13),² and a supporting declaration of Edward Moss, Esq. (ECF No. 14), seeking to modify the automatic stay to allow PAX’s State Court Action against the Debtor to proceed to final judgment. Motion at ¶ 3 (Proposed Order).

2. On January 5, 2021, Bravo Luck filed its *Objection of Bravo Luck Limited to Motion of Plaintiff Pacific Alliance Asia Opportunity Fund L.P. to Modify the Automatic Stay to Proceed with State Court Litigation, and Related Relief* (ECF No. 21) (the “Objection”).

3. Prior to the original hearing on the Motion, the Debtor, PAX, and Bravo Luck entered into that certain Settlement Agreement, dated February 26, 2021, (the “Settlement”), approval of which is currently pending before this Court. One component of the Settlement is the Debtor and Bravo Luck’s consent to stay relief in favor of PAX to allow the State Court Action to proceed. The Settlement, however, has not yet been approved by the Court. Therefore, Bravo Luck objects to the entry of the Proposed Order, unless and until an order approving the Settlement is first entered. If the Settlement is not approved, then Bravo Luck requests that this Court schedule an evidentiary hearing on the Motion so that Bravo Luck can proceed with its Objection.

[Signature page follows]

² Terms capitalized but not defined herein shall be ascribed the definitions set forth in PAX’s *Memorandum of Law in Support of Motion to Modify the Automatic Stay to Proceed with State Court Litigation, and Related Relief* (ECF No. 13) (the “Memo of Law”).

Dated: May 14, 2021
Philadelphia, PA

TROUTMAN PEPPER HAMILTON SANDERS LLP

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